

Residential Rental Inspection Program

The Residential Rental

Inspection Program was adopted:

To Prevent: Property deterioration, unsafe living conditions, neighborhood decline and neighborhood blight. **To Promote:** Safe, decent, habitable and sanitary residential rental dwelling units for citizens. Neighborhood quality of life, real estate values, and neighborhood appearance. **Residential rental dwelling units can often be prone to:** Unsafe conditions which can lead to dwelling units unfit for human habitation, over crowding, and structural deterioration from overall neglect.

Purpose and Intent

Residential dwelling and building standards provide protection for citizens and neighborhoods by ensuring sub-standard living conditions are reduced. In 1993 the City of Lynchburg City Council first adopted the minimum building maintenance and residential rental dwelling standards for properties within the city limits in order to produce thriving, attractive, safe neighborhoods and enhance citizen's quality of life. The City's Rental Inspection Program began its enforcement process in 2005 based on the designated rental inspection districts (see district map).

An Annual Residential Rental Inspection Notice indicating date and time of the scheduled inspection, plus any fees associated with the inspection, is mailed to the owner of record (based on data from the Assessors office). **Non-Owner occupied units** (including family) and **Rent-to-Own type contracts units** are considered as a **rental (not unless,** the purchaser or family member is recorded as a co-owner documented with the Assessors office). **Please be advised:** The owner of record must provide the Assessors office with the proper documentation to make the required change. Once the change has been documented it is the owners responsibility to contact the Rental Administrator of the change. City Assessors Office: 434-455-3830.

Note: It is the responsibility of the owner to notify hired rental management agencies and or occupant of the scheduled inspection date and time.



Community Development Department
Inspections Division
Residential Rental Inspection Program
City Hall 900 Church Street,
Lynchburg, VA 24504
(434) 455-3910 Fax (434)845-7630

Rental Website:

www.lyncburgva.gov/rental-program

CONTACT:

Residential Rental Inspection
Program Administrator
Dana Horne (434) 455-3922
EMAIL: dana.horne@lyncburgva.gov

IT IS ADVISED: In order to avoid, "No Show" fees and or miscommunication of inspection times or dates. Please email or call to confirm receipt of Annual Residential Rental Inspection Notice.

Maintaining Safe Homes in Lynchburg



Residential Rental Inspection Program



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(434) 455-3922 or 455-3910 Fax (434) 845-7630

Rental Property Business Owners Inspection Fee Costs for Annual Residential Rental Inspection Compliance Certificate

There is a charge of **\$50.00** for the initial rental inspection check payable to the City of Lynchburg or pay at Billings and Collections with cash or credit card (online pay not available). The first follow-up inspection is at no charge. Further follow-up inspections are an **additional \$50.00**. "No Show" follow-up inspections are \$50.00. If no violations are cited or minor violations are abated within a reasonable time from date of mailed notice, a four **(4)-year** rental certificate of compliance is issued (\$50.00= *\$1.04 per month*). **Rental fees must be paid no later than 30 days after the initial inspection. Payment after 30 days will result in a one year certificate of compliance being issued.**

If more than **minor** violations are cited during the rental inspection process; violations are not abated within a reasonable period of time, and or poor repair work is performed a one **(1)-year** certificate of compliance is issued (\$50.00= *\$4.17 per month*). Once the four year or one-year certificate expires, another rental inspection will be scheduled. HOME and HUD Program rentals are issued compliance certificates based on contract agreement.

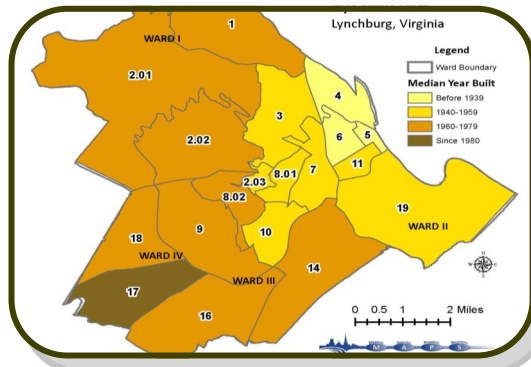
Note: Failure to comply or abate violations cited under Virginia Uniform Statewide Building Code Residential Rental Inspection Program in a reasonable time may receive court action resulting in a misdemeanor charge and or fines. Tenant complaints or visible violations can result in the citation of new violations and or revocation of an existing rental certificate of compliance.

Specified City Districts Required to Register Rental Property

Based on Code of Virginia §36-105.1:1. The rental inspections districts are outlined based on the residential areas which have a significant amount of older housing stock built in the late 1800's and early 1900's, receive CDBG funds, and or areas with congested density of dwelling structures. Rentals are added to the Rental Inspection Program upon discovery, new ownership or based on City Assessor data. **Note:** Residential dwelling units outside the designated inspection district are subject to the ordinance based on separate findings.

The residential rental inspection districts consist of:

- ◆ Daniels Hill Census Tract #4
- ◆ Rivermont Census Tract #4
- ◆ Down Town Census Tract #5
- ◆ College Hill Census Tract #6
- ◆ Dearington Census Tract #6
- ◆ Garland Hill Census Tract #6
- ◆ Tinbridge Hill Census Tract #6
- ◆ Miller Park Census Tract #7
- ◆ Diamond Hill Census Tract #11
- ◆ White Rock Hill Census Tract #19 (formally 12&13)
- ◆ Fairview Heights Census Tract #19 (formally 12&13)
- ◆ Seminary Hill Census Tract #19 (formally 12&13)
- ◆ Tyreeanna Census Tract #19 (formally 12&13)



Fair Housing

What Housing Is Covered?

The Fair Housing Act covers most housing. In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single-family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members.

What Is Prohibited?

In the Sale and Rental of Housing: No one may take any of the following actions based on race, color, national origin, religion, sex, familial status or handicap: **In Addition:** It is illegal for anyone to: threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise that right. Advertise or make any statement that indicates a limitation or preference based on race, color, national origin, religion, sex, familial status, or handicap. This prohibition against discriminatory advertising applies to single-family and owner-occupied housing that is otherwise exempt from the Fair Housing Act.

Contact:

Virginia Fair Housing

Office 1-888-551-3247

"CITIZENS FIRST" INFO CENTER
434-856-CITY
M-F, 8:30 AM - 5 PM 434-856-2489

Rental Property Business Owners by Law are Required to Maintain Rental Building Standards or be Subject to Criminal Charges and or Fines

Rental property business owners are required to properly maintain the exterior and interior of each rental dwelling unit based on minimum habitable living standards. The provisions of the USBC prescribe compliance of building maintenance and repair regulations of existing structures and equipment.

Courtesy Residential Rental Inspection Program Section 8/Certificate of Compliance exemption waiver: Rental dwellings which are contracted with the LRHA Section 8/ HUD Housing Assistance Program are required to supply a current "Notification of Rent" or verification letter



from LRHA confirming an inspection was conducted and is in compliance with the current International Property Maintenance Code minimal habitable standards. Please send verification to the Rental Program Administrator's email/mail address in order to exempt the residential rental inspection fees and waive inspection.

Verification is subject to an annual review and must be resubmitted each year to remain exempt from the Residential Rental Inspection Program. Rental units within Lynchburg City's designated Rental Inspection Districts which are not registered with the City, are not eligible for a courtesy Rental Certificate of Compliance.

Rental units/cases under new ownership become void. A new case must be opened and inspected in order to receive a valid Rental Certificate of Compliance and or Residential Rental Inspection Program Section 8 Exemption Waiver.

City of Lynchburg Disclaimer-Term of Use
<http://www.lyncburgva.gov/terms-use>

The requirements for compliance in Lynchburg VA are outlined in: Code of Virginia §36-105.1:1, Part III Virginia Maintenance Code of the Virginia Uniform Statewide Building Code (USBC), Maintenance of Existing Structures, Part IV USBC, Technical Amendments, and Chapters 3 through 7 of the International Property Maintenance Code as adopted by the Virginia Department of Housing and Community Development.

The Virginia Uniform Statewide Building Code (USBC) contains the building regulations. The USBC is comprised of three parts known as: 2009 & 2012 Virginia Construction Code (USBC, Part I) 2009 & 2012 Virginia Rehabilitation Code (USBC, Part II) 2009 & 2012 Virginia Maintenance Code (USBC, Part III). See attached building code links.

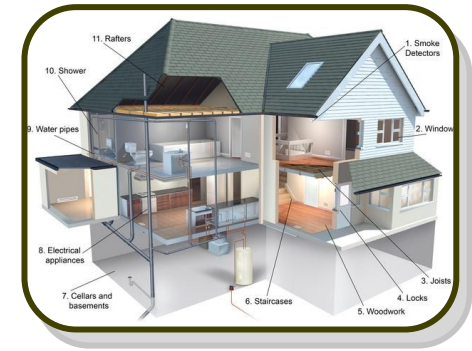
LYNCBURG CITY WEBSITE FOR CITY CODE
City Website Click on the Business Tab> Scroll to City Code> click link Or type below link in URL bar. <http://www.lyncburgva.gov/chapter-11-buildings>
City Code Chapter 11 (Building) > Article III.
Residential Rental Dwelling Units Inspections

LYNCBURG CITY CODE SECTIONS AS FOLLOWS ARE APPLICABLE BY LAW:

Sections: 11-161 (Purpose and Intent);
11-162(f) (Definitions); **11-163** (Designation of rental inspection districts);
11-165 (Notification by owners of dwelling unit to locality); **11-166** (Inspections of residential rental dwelling units); **11-167** (Inspection fees);
11-168 (Entry); **11-170** (Violations); & **11-171** (Enforcement). **City Code Sec. 11-170. Violations.**
(a) It shall be **unlawful** for any owner or managing agent to fail to comply with the requirements contained in this article and to fail to comply with the provisions of the Uniform Statewide Building Code.

Code of Virginia §36-105.1:1.(Rental Inspections)

INSPECTION CHECKLIST



Historical Districts may have specific requirements for exterior repairs/installation. Check with Review Board for requirements 434-455-3900.

The enclosed checklist does not provide every possible applicable codes required to meet the USBC/Property Maintenance minimal standards. See code compliance law requirements as follows: city codes sections are located on the Lynchburg City website. Links listed under City Code Chapter 11 within this document, along with the **2009 Virginia Maintenance Code link > http://www.ecodes.biz/ecodes_support/Virginia2009/09Maintenance/09maint_main.html**
2012 Virginia Maintenance Code link > <http://premiumaccess.iccsafe.org/book/toc/63/>
Code of Virginia link > <https://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+36-105.1C1>

Online Residential Rental Brochure > <http://www.lyncburgva.gov/rental-program>

Online Property Maintenance Checklist > www.lyncburgva.gov/property-maintenance

INSPECTION CHECKLIST

To minimize violations, take this list with you and make repairs **PRIOR** to scheduled inspection date. Owners are not to wait for a written Notice of Violation report from the City to abate verbal or observed violation during a physical onsite inspection. Owner is held responsible for failure to correct any known or observed violations.

General Responsibility. The owner of the premises shall maintain the structures and exterior property. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of the code. Occupants of a dwelling unit, rooming unit are responsible for keeping that part of the dwelling unit, rooming unit or premises which they occupy and control clean, sanitary and in safe condition. **Unsafe structures are:** Dangerous to life and health; doesn't protect or warn occupants in the event of fire; collapse of the structure is possible. **Unsafe equipment is:** Heating equipment, elevators, wiring, or flammable liquid containers, equipment in such a condition that present a hazard to life, health, property, and safety.

Structures are Unfit for Human

Occupancy when: In disrepair, lacking maintenance, unsanitary and or contains filth or contamination, vermin infested, lacks ventilation, illumination, lack of water supply, or electric.

Structures are considered an Unlawful structure if:

Structure was erected or altered illegally (without trades permits or inspections); Overcrowding situation of more occupants permitted by law. **NOTE:** Utilities are required to be active during rental inspection in order to observe possible inoperative fixtures, equipment, electrical/plumbing system hazards or leaks.

Exterior

Building exterior is in good repair, structurally sound, and sanitary. Including fascia/soffits, columns, porches, rails, decks. All wood /metal surfaces shall be free from, holes, deterioration, rot, peeling paint or missing components. **Grading and drainage** – No erosion or standing water in the yard. **Gutters and downspouts** are in good condition. Water from downspouts discharges away from the structure. **Sidewalks and driveways** are in proper repair and free of hazardous conditions. **Exterior walls** are weatherproof and coated with a protective treatment (paint, stain, intact siding), with no peeling or chipped paint, and metal surfaces are not rusted. Joints in building material, including mortar joints, are watertight. Exterior walls are free of holes, breaks, and loose or rotting material. **House number** is legible from the street, with a minimum 4-inch letter height and ½-inch stroke width. **Foundation walls** are plumb and free from cracks and breaks, without holes to allow entry of rodents or water. **Exterior stairs, deck, porch, and balcony** are structurally sound, properly anchored, are free from tripping hazards, and able to support the required load. **Handrails and guardrails** required with steps with more than 4 risers/steps. Guardrails required when from standing surfaces/porch/deck or landing is more than 30 inches from ground level (No more than a 4" spacing between rails/balusters). **Windows, door frames, and skylights** are in good repair and weather tight. No broken glass. Screens must be provided. **Security-** Doors, windows, and hatchways are secure and lockable. **Exterior Doors** are in good sound condition; provide proper and safe egress/exits. No double keyed deadbolt (turn knob latch for interior).

Interior

Interior of building is in good repair, structurally sound, and sanitary. Interior structural members are sound and can support the required loads. **Interior surfaces walls/ceilings/floors** are to be safe, clean and sanitary, with no peeling or chipping paint, cracked plaster, or decayed wood.

Interior cont.

Interior stairs and walking surfaces are in sound condition; handrails and guardrails are in good repair, well-fastened, and support the load. **Interior doors** fit reasonably well, is properly secured, opens freely, knobs and hardware are properly installed. **Emergency egress/exits** Pathways shall be free from obstacles or tripping hazards (electrical cords, etc.). Doors and windows shall be operable without special tools, keys, double keyed dead bolt, hasps, or special knowledge. **Working Smoke alarms/detectors are to be installed: inside every bedroom/ sleeping area, hall outside bedrooms, along with one on each level including attics, basements and crawlspaces with electrical/mechanical devices.** **Clothes dryer vent** Exhausts to exterior. **Infestations** All interior areas shall be free of structural infestations from Insects, nuisance pests/ roaches/and rodents. **Rubbish and garbage** Disposal container is available; No accumulation (clothes/trash/excessive clutter). **Ventilation** Windows are in good condition, properly opens and able to stay in place. Bathroom with no window must provide a mechanical exhaust vent properly vented to exterior. **Light** Habitable room has natural light (windows) equal to 8 percent of the floor area. **Plumbing** All kitchen sinks, bathtubs, laundry, shall be supplied with tempered hot/cold running water free of plumbing hazards. **Fixtures** Sinks, toilets, tubs, vanities, etc. are properly supplied, secured and connected to wall/floor, in working order without deterioration, loose or unsanitary caulk, leaks, no holes under sink, loose toilet, and have adequate clearances. **Electrical** 60-amp service minimum; two Receptacles per habitable space; GFI-protected receptacle in each bathroom, kitchen near water source, and any area where water is a potential electrical hazard. **NOTE:** All Repairs and installation of materials/items are required per code (electrical, building, mechanical, plumbing etc.) in a workman like manner. Owners serving as contractor are responsible to perform repair work as professional craftsmen.